

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

EUGENE MILLER,)	
Plaintiff,)	Case No. 08 C 1420
)	
v.)	Judge Castillo
)	
OFFICER GAFFNEY, #11040,)	Magistrate Judge Nolan
OFFICER EMILY BYRNES, #15492,)	
AND THE CITY OF CHICAGO,)	
A MUNICIPAL CORPORATION)	
)	Jury Demand
Defendants.)	

**DEFENDANTS AGREED MOTION TO EXTEND TIME
IN WHICH TO ANSWER OR OTHERWISE PLEAD**

Defendants City of Chicago, Officer Gaffney and Officer Byrnes, by their attorney, Sanjay H. Patel, Assistant Corporation Counsel of the City of Chicago, respectfully request this Honorable Court for an extension of time, up to and including 6-6-08, in which to answer or otherwise plead to Plaintiff's Complaint. In support of this motion, Defendants state as follows:

- (1) The undersigned counsel filed his Appearance for Defendants on May 1, 2008.
- (2) This matter was filed on March 10, 2008. Summons and Complaint have been personally served upon Defendants.
- (3) The undersigned learned on 4-30-08 that Defendants Gaffney and Byrnes were personally served; and has not yet been able to interview the police personnel necessary to answer or otherwise plead to Plaintiff's Complaint.
- (4) The undersigned also has ordered, but not yet received, all of the Chicago Police Department records to enable Defendants to properly respond to Plaintiff's Complaint

(5) This motion is Defendants first request for an extension of time to answer or otherwise plead. Such a request will not unduly delay the resolution of the disputed issues, nor will it prejudice the plaintiff.

(6) The undersigned has communicated with plaintiff's counsel, and she is in agreement with the terms of this motion.

WHEREFORE, Defendants requests that this Court to grant his motion for an extension of time to and including 6-6-08, to answer or otherwise plead to the complaint.

Respectfully submitted,

/s/ Sanjay Patel
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